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should therefore cover the same art at the examination of the claims of Group II. Dividing the claims into Groups I and II will not reduce the burden on the Examiner as alleged in paragraphs of 6 and 7 of the office action, but instead will increase the amount of effort needed for examination, since two searches and two examinations of essentially the same inventive concept will be required for Groups I and II.

The office action asserts that the claims of Group I and II are related as subcombination and combination, respectively. The preceding paragraph points out the error of this assertion.

The office action further asserts that the inventions are distinct because "the combination as claimed does not require the particulars of the subcombination as claimed because (1) a catheter lacking a balloon, inflation tube and coiled section could be used with the insertion tool. For example, a straight catheter without a balloon could be combined with the insertion tool. The subcombination has separate utility such as (2) dispensing adhesive material to inaccessible places during construction or repairs. For example the catheter could be used in its inflated state to dispense adhesive." Not only are these reasons factually inaccurate, they are based on speculation unsupported by the claims or the specification.

As is clearly recited, the catheter of claim 1 of Group I includes a balloon, and inflation tube and a coiled section, and claims 43-47 of Group II also include a balloon, inflation tube and a coiled section. Groups I and II therefore include common elements. There is no basis in the claims for the assertion that "a catheter lacking a balloon, inflation tube and coiled section could be used with the insertion tool," because claims 10-19, 20-33 and 43-47 state otherwise. It is the claims which define the invention. Separate and distinct inventions (claims) give rise to the authority to restrict the separate inventions under 35 USC 121. The reasons alleged in the office action are simply inconsistent with the claims.

Furthermore, the claims are not directed to "dispensing adhesive material to inaccessible places during construction or repairs." Instead, the claims are all directed to draining urine from a bladder. There is simply no support in the claims themselves

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for assertions of separate utility based on dispensing adhesive material. It is speculation, not supported by the claims or the specification or the utility of the invention itself, which is asserted as a reason for the restriction, and that speculation is inappropriate as a basis for the restriction requirement. The claims themselves must define the separate and distinct inventions under 35 USC 121, not speculation.

The claims of Groups I and II should be examined simultaneously as a unitary group due to their overlapping subject matter and for reasons of economy in examination.

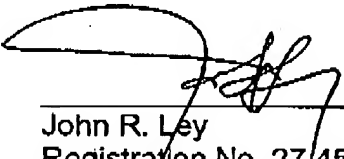
With respect to claims 49-71 and 72-87 of Groups III and IV, these claims are conceptually the method analogs of many claims in Groups I and II, respectively. As such, the subject matter recited in the method claims of Groups III and IV is very similar to the subject matter recited in the apparatus claims of Groups I and II. The examination and search burden arising from separating these Groups will be overlapping and duplicative, rather than ease the burden. The method and apparatus claims should be examined simultaneously for purposes of efficiency.

In summary, claims 1-87 are sufficiently interrelated with one another so that they should be examined together. The assertions in the office action are speculative and not consistent with the language of the claims themselves.

Respectfully submitted,

6/26/07
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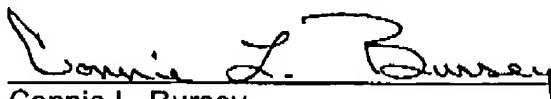
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The undersigned hereby certifies that the foregoing **Response to Restriction Requirement** and the Petition for a Two-Month Extension of Time, are being transmitted by facsimile to the United States Patent and Trademark Office, at the Central PTO facsimile number 571 273 8300, this 26th day of June, 2007.



Connie L. Bursey
Facsimile operator